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THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA EASTERN DIVISION

LYNN MACY,

Plaintiff,

vs.

CEDARPINES PARK MUTUAL WATER
COMPANY,

Defendant.

Case No.: 5:24-cv-00668-AB-SHK

**PLAINTIFF'S OPPOSITION TO ORDER
DENYING REQUEST FOR SERVICE & TO
SHOW CAUSE**

STATEMENT OF FACTS

On April 4, 2024, when the Clerk of Court issued a Notice to Filer of Deficiencies in Request for Issuance of Summons ("NOD"), which stated that "[t]he caption of the summons must match the caption of the complaint verbatim" & that "[t]he summons cannot be issued until this defect has been corrected." ECF No. 9, NOD at 1 Plaintiff fixed all errors & submitted it back to the court. On Plaintiff's AO-440 Summons in a Civil Action (Exhibit 4) Plaintiff provided the identity & address of the Defendant to the Court: Cedarpines Park Mutual Water Company 21853 Crest Forest Dr, Cedarpines Park, CA 92322.

On April 9, 2024, Plaintiff filed the request for the United States Marshal Service ("USMS") to serve the Complaint & Summons on Defendant Cedarpines Park Mutual Water Company ("USMS Request"), but the judge never responded.

On April 9, 2024, the Clerk of Court issued a Summons ("Summons") for Defendant Cedarpines Park Mutual Water Company.

On April 16, 2024, Plaintiff served the Cedarpines Park Mutual Water Company Defendant: Summons & Complaint, since the USMS Request was not approved & the court did not order that service be made by a United States

1 marshal or deputy marshal or by a person specially appointed by the court.

2 Plaintiff also filed a Proof of Service ("POS"), indicating that Defendant
3 Cedarpines Park Mutual Water Company was served with the Summons &
4 Complaint.

5 On July 8, 2024, Plaintiff filed another Proof of Service ("POS"), indicating
6 that Defendant Cedarpines Park Mutual Water Company was served with the
7 Summons & Complaint. ECF No. 14, POS. Plaintiff also provided proof & Tracking
8 Numbers from the United States District Court Central District of California
9 website. The Court erred in losing Plaintiff's April 16, 2024 Proof of Service. Plaintiff
10 served Defendant within 90 days since Plaintiff filed the Complaint in this case &
11 the Defendant was served with the Summons & Complaint.
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14 **Request for United States Marshal Service by July 29, 2024**

15 Respectfully Submitted,

16
17 By Plaintiff: Lynn Macy

18 Lynn Macy

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20 Date: July 26, 2024